

TESTIMONY OF

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STOP CHILD PREDATORS

for the

MONTANA HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

House Bill 643

Revising Sexual Predator Laws

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Chairman Rice, Vice Chairmen Stoker and Gallik, and distinguished members of the Committee, I welcome this opportunity to appear before you to discuss the need for stronger penalties for convicted child sex offenders and to offer my support for House Bill 463. 643.

I commend the Committee for its leadership on this issue. Stop Child Predators joins you in your concern for the safety of the most vulnerable members of our society and thanks you for bringing attention to this serious problem facing our communities.

Let me first provide you with some background information about Stop Child Predators. Stop Child Predators is a non-profit organization designed to help stop the sexual exploitation of children by promoting penalty enhancements for those individuals convicted of committing sexual offenses against children; supporting an integrated nationwide sex offender registry; and protecting the rights of crime victims.

Stop Child Predators brings together a team of policy experts, law enforcement officers, and community leaders to launch state-by-state campaigns to educate lawmakers and the public about policy changes that will protect America's children from sexual predators. Our model legislation, *The Sexual Offenses Against Children Act*, has been endorsed by the American Legislative Exchange Council as a model to guide the various states as they seek to bring about legislative change. In the last two years, 28 states have enacted the provisions in our model legislation, and it is our hope that Montana will join us in protecting our children from predators.

The sexual victimization of children is overwhelming in magnitude yet largely unrecognized and underreported. The National Center for Missing and Exploited Children reported that one in five girls and one in 10 boys are sexually exploited before they reach adulthood, and yet, they note that less than 35% of those child sexual assaults are reported to authorities. According to the Department of Justice, the number of sex offenders jumped 300 percent between 1980 and 1994. In 1994, there were approximately 234,000 sex offenders and today there are over 560,000 registered sex offenders living in the United States.

Many of these sex offenders are released into society soon after they are convicted. According to the most recent available data from the Justice Department's Bureau of Justice Statistics, the average sentence imposed on child molesters released in 1994 was seven years, and the average offender was released after serving only three of those seven years. And this is despite their potential to become repeat offenders: the same study shows sex offenders are also four times more likely than other criminals to be arrested again for a sex crime. Yet we are repeatedly faced with news reports where child offenders have been set free, only to harm innocent children again - children who are vulnerable to victimization as their trusting natures make them perfect targets for perpetrators. It is for reasons such as these that our organization advocates for the passage of Jessica's Law in all 50 states, including 25-year mandatory minimum sentences for convicted child sex offenders and the monitoring of offenders once they are

released back into our communities – the same provisions in House Bill 643 before you today.

The U.S. Congress recognized this problem and acted last year, and President Bush signed into law *The Adam Walsh Child Protection and Safety Act*. Named after Adam Walsh who was abducted from a Hollywood, Florida shopping mall just over 25 years ago, this sweeping new law mandates minimum sentences for sex offenders convicted of sex crimes against children and sets up a public database linking state lists of sex offenders. Within the next three years, as states come into compliance with the Adam Walsh Act, the disparities among the state registration laws will be eliminated and sex offenders will no longer be able to slip through the cracks in the system.

While much progress has been accomplished, there is still much more to be done.

In 2005, in Florida, John Couey – a registered sex offender with two previous arrests for sexual assault against a minor – abducted, molested, and buried alive nine-year-old Jessica Lunsford. In Idaho, Joseph Duncan – another registered sex offender, twice-convicted and twice-released – kidnapped and molested eight-year-old Sasha Groene, after molesting and murdering her brother Dylan and killing the rest of the family. Had there been more stringent sentencing penalties and strictly monitored registration requirements, both Couey and Duncan might have been prevented.

I will conclude by leaving you with one thought: the trial of Jessica Lunsford began just this past week. By working together, I hope we can prevent another community, another family, and another child from enduring such tragedy.